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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,449	07/07/2006	Gunther Oskar Eckert	W1.2088 PCT-US	2516

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EXAMINER

YAN, REN LUO

ART UNIT	PAPER NUMBER
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2854

MAIL DATE	DELIVERY MODE
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05/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/585,449	Applicant(s) ECKERT, GUNTHER OSKAR	
	Examiner Ren L. Yan	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-46 is/are pending in the application.
- 4a) Of the above claim(s) 24-45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22, 23 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's arguments presented in a response filed on 1-8-2009 have been considered and are moot in view of the new ground of rejection presented in this Office action.

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22, 23 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zuckerman(1,709,386) in view of Applicant's Admitted Prior Art(hereinafter AAPA).

With respect to Claim 22, Zuckerman teaches in Figs. 1-6 and the paragraph bridging pages 2 and 3 a printing press adapted for imprinting a web of material and comprising:

a forme cylinder 3, said forme cylinder being equipped with printing plates of a number of N (6) pages or plates in width, said number N of pages being a natural number divisible by three, said forme cylinder 3 having a forme cylinder width, said number N (6) of

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pages having a width less than said forme cylinder width, said number N of pages, plus one page having a width greater than said forme cylinder width (as shown in Fig. 2);

at least one longitudinal web cutting device usable to cut (slit) the web of material, having a web width, into partial webs of material f, g and h, each of less than said web width;

means for placing said at least one longitudinal web cutting device on a boundary between a K^{TH} and a K^{TH} plus one page, wherein K is selected from one third and two thirds of N (6).

A former 37, 38 or 39, at least one of said partial webs being conducted through said former having a former entry direction in an area of said at least one longitudinal web cutting device.

However, the former entry area of Zuckerman appears to extend only perpendicularly rather than transversely to a web running direction.

AAPA, in Fig. 1 and [017]-[023] of the present specification, teaches that it is conventional in a printing press of a similar type for imprinting a web of material to extend a former entry area transversely to a web running direction.

One of ordinary skill in the art would have recognized from the teaching of AAPA that extending the former entry area transversely to a web running direction is at least equivalent to extending the former entry area perpendicularly to a web running direction to achieve the same web folding operation.

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It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify the printing press of Zuckerman with the former entry area for longitudinal folding the web that extends transversely to a web running direction as taught by AAPA as a simple substitution of one well known orientation of the former entry area for another so as to predictably achieve the same web folding operation.

With respect to claim 23, Zuckerman does not show the use of a former that has an effective former width at least as great as two thirds of said form cylinder width, and less than said forme cylinder width.

AAPA, in Fig. 1 shows the use of a former 06 that is at least as wide as two thirds of the forme cylinder 02 and less than the width of the forme cylinder.

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to provide the printing press of Zuckerman with a former that is as wide as two thirds of the forme cylinder width and less than the width of the forme cylinder as taught by AAPA so as to predictably enable the former to handle the partial webs that have the widths of one third or two thirds of the forme cylinder width.

Regarding claim 46, the Examiner notes that claim 46 is basically the same scope as that of claim 22 with additional broad recitations which are covered by the teachings of Zuckerman and AAPA as applied above. For example, the combination of Zuckerman and AAPA teaches a press alignment direction of travel of a web being perpendicular to the forme cylinder axis of rotation and the former entry area extends transversely to the press alignment direction(same as web running direction) and parallel to the forme cylinder axis of rotation as recited.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L. Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ren L Yan/
Primary Examiner, Art Unit 2854
April 30, 2009